

Message Text

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ACTION EB-07

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C O N F I D E N T I A L SECTION 01 OF 02 PARIS 20692

USOECD

FROM AMBASSADOR SALZMAN FOR ASSISTANT SECRETARY KATZ

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJ: COCOM CHAIRMAN WARNS THAT UNANIMITY PRINCIPLE MAY
BE IN JEOPARDY

1. SUMMARY: COCOM CHAIRMAN INDELICATO TOLD ME DURING
COURTESY CALL JULY 11 THAT CONTINUING US DELAYS IN COCOM
COULD THREATEN THE CONTINUED APPLICATION OF THE RULE OF
UNANIMITY. HE ALSO WARNED THAT A REPETITION OF THE
1974/75 LIST REVIEW WOULD BE "CATASTROPHIC" FOR THE
CONTINUING OPERATION OF COCOM. BECAUSE OF THE SERIOUS-
NESS OF HIS REMARKS I RELATE THEM IN SOME DETAIL.
END SUMMARY.

2. COCOM CHAIRMAN ALBERTO INDELICATO USED THE OCCASION
OF HIS COURTESY CALL ON ME AS US REP TO CONSULTATIVE
GROUP--COCOM'S PARENT BODY--TO WARN ME OF CONSEQUENCES
OF CONTINUING US DELAYS IN HANDLING COCOM EXCEPTION
REQUESTS AND LIST REVIEW (DEFINITIONAL) PROPOSALS. HE
WAS RETICENT, AS CHAIRMAN OF THE COMMITTEE, TO CRITICIZE
ANY MEMBER COUNTRY, BUT HE HAD TO NOTE, HE SAID, THE
INCREASED FREQUENCY WITH WHICH THE US DELEGATION WAS
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WITHOUT INSTRUCTIONS ON SCHEDULED OR RESCHEDULED ITEMS.
US DELAYS IN REACHING A POSITION ON OTHER MEMBERS'
PROPOSALS AND EXCEPTION REQUESTS, HE SAID, HAD SERIOUSLY
IRRITATED THE OTHER COCOM DELEGATIONS WHO WERE ALREADY
DISSATISFIED WITH THE CURRENT EMBARGO LIST. HE BE-
LIEVED THAT SUCH US DELAYS HAD ALREADY CAUSED CERTAIN
DELEGATIONS TO TAKE ACTION, OR MAKE STATEMENTS,

INTENDED TO UNDERCUT COCOM'S OPERATING PRINCIPLE OF UNANIMITY. HE CITED A RECENT DUTCH STATEMENT IN COCOM THAT AFTER WAITING FOR OVER SIX MONTHS FOR A US POSITION ON A DUTCH PROPOSAL TO AMEND OSCILLOSCOPE COVERAGE, THE DUTCH DELEGATE RECOMMENDED THAT HIS AUTHORITIES CONSIDER THE PROPOSAL AS HAVING BEEN ADOPTED EVEN IN THE FACE OF A CONTINUED US RESERVE. A SIMILAR EXAMPLE, HE SAID, WAS THE BELGIAN THREAT TO PROCEED UNILATERALLY AS IF ITS PROPOSAL TO LIBERALIZE MACHINE TOOL COVERAGE HAD BEEN ADOPTED. THE UNITED STATES WAS THE ONLY DELEGATION ON RESERVE IN BOTH OF THESE CASES. HE ALSO RECALLED TO ME THAT TWO EXCEPTION REQUESTS HAD BEEN WITHDRAWN FROM COCOM CONSIDERATION SINCE 1975 AS A RESULT OF US FAILURES TO STATE TIMELY POSITIONS--A BELGIAN EXPORT OF MACHINE TOOLS TO ROMANIA AND A GERMAN EXPORT OF A \$176 MILLION GAS SEPARATION PLANT TO USSR.

3. PERHAPS THE MOST SERIOUS RESULT TO DATE OF US DELAYS HE SAID, WAS THE BELGIAN PROPOSAL TO ADD A NEW OBSOLES-
CENCE CRITERIA TO THE COCOM RULES. THIS CRITERION, IF
ADOPTED, WOULD PERMIT ANY MEMBER COUNTRY TO CAUSE THE
REMOVAL OF ANY ITEM FROM THE EMBARGO AFTER IT HAD BEEN
AVAILABLE COMMERCIALY IN THE WEST FOR OVER FIVE YEARS.
THIS PROPOSAL WHICH HAD ALREADY OBTAINED SOME SYMPATHY
FROM OTHER DELEGATIONS, HE SAID, SERIOUSLY CHALLENGED
THE PRINCIPLE OF UNANIMITY AND WAS MOTIVATED IN LARGE
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MEASURE BY A STRAINED PATIENCE WITH US FAILURES TO STATE
TIMELY POSITIONS AND TO ACCOMMODATE ITSELF TO THE
EXIGENCIES OF OTHER MEMBERS. THE MERITS OF THIS BELGIAN
PROPOSAL WILL BE DISCUSSED AT A SPECIAL MEETING OCTOBER
11.

4. THE CHAIRMAN ISSUED AN EVEN STRONGER WARNING WITH
REGARD TO THE NEXT LIST REVIEW. HE WAS AWARE, HE SAID,
THAT THERE WAS NOW PRESSURE FOR AN EARLY REVIEW. A
REPETITION OF THE 1974/75 LIST REVIEW EXPERIENCE, HE
SAID, WOULD BE "CATASTROPHIC" FOR COCOM. THE APPARENT
INABILITY OF THE UNITED STATES DURING THE 1974/75 RE-
VIEW TO PROVIDE TIMELY AND WELL JUSTIFIED RESPONSES TO
OTHER MEMBERS' PROPOSALS HAD, HE STATED, ALREADY
SERIOUSLY STRAINED THE CONSENSUS OPERATION OF THE COM-
MITTEE. THIS 1974/75 PERFORMANCE, HE SAID, HAD LED
SOME DELEGATIONS TO EVEN QUESTION US MOTIVES DURING THE
RECENT COCOM NEGOTIATIONS OF NEW LIST REVIEW ORGANIZA-
TION RULES. HE ALSO ATTRIBUTED THEIR TENACIOUS

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INSISTENCE ON AN OVERALL 10-MONTH LIMITATION ON LIST
REVIEWS TO THEIR RECOLLECTION OF THE L974/75 EXPERIENCE.
HE CONCLUDED BY NOTING THAT THE COMMITTEE HAD EXPENDED
CONSIDERABLE NEGOTIATING EFFORT TO OBTAIN THESE RULES
AND THAT ANY DISREGARD OF THEM COULD HAVE QUITE SERIOUS
CONSEQUENCES FOR COCOM ITSELF.

5. I AM TOLD BY MY STAFF THAT CHAIRMAN INDELICATO IS A
CAUTIOUS MAN NOT APT TO MAKE DIRE PREDICTIONS OR ISSUE
UNNECESSARY WARNINGS AND THIS IS THE IMPRESSION I HAD
IN TALKING TO HIM. THE FACT THAT HE CHOSE TO DEPART
FROM A STUDIED NEUTRAL POSITION AS COCOM CHAIRMAN AND
THAT HE CHOSE TO DEVOTE A ROUTINE COURTESY CALL TO
DISCUSSING FRANKLY SUCH SUBSTANTIVE COCOM PROBLEMS IS
INDICATIVE TO ME OF HIS CONCERN AS TO THEIR SERIOUSNESS.
IN LIGHT OF HIS PRESENTATION I REVIEWED THE RECORD OF
US PERFORMANCE IN COCOM AND I AM LED TO SHARE HIS CON-
CERN. DURING THE FIRST SIX MONTHS OF 1977 THE UNITED
STATES DELEGATION WAS WITHOUT INSTRUCTIONS ON SCHEDULED
DISCUSSION DATES ON 92 OF THE TOTAL 202 GENERAL EXCEP-
TION REQUESTS SUBMITTED BY OTHER MEMBER COUNTRIES.
THE US DELEGATION CONTINUED TO BE WITHOUT INSTRUCTIONS
ON 32 OF THESE CASES WHEN THEY WERE RESCHEDULED FOR
SUBSEQUENT DISCUSSION. THE UNITED STATES WAS ONLY ABLE
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TO APPROVE 41 CASES ON FIRST DISCUSSION DATES AND ONLY AN ADDITIONAL 31 WITHIN A TWO-WEEK DELAY. DURING THIS SAME PERIOD, THE US ALSO RESERVED ITS POSITION ON 51 OF THE 202 CASES BECAUSE US LICENSING ACTION HAD NOT YET BEEN COMPLETED. IN FACT THERE ARE NOW OVER 31 NON US COCOM CASES PENDING US LICENSE RESERVES IN COCOM FOR OVER THREE MONTHS AND 18 OF THESE FOR OVER 6 MONTHS.

6. UNITED STATES PERFORMANCE ON EMBARGO DEFINITION PROPOSALS DOES NOT APPEAR TO BE ANY BETTER. THE US WAS WITHOUT A SUBSTANTIVE POSITION ON A NORWEGIAN PROPOSAL TO ADD AN INTERPRETATIVE NOTE TO MACHINE TOOL EMBARGO COVERAGE FOR OVER THREE MONTHS; ON A DUTCH PROPOSAL TO AMEND OSCILLOSCOPES FOR OVER 6 MONTHS; ON A GERMAN PROPOSAL ON FERRO ALLOYS FOR OVER FOUR MONTHS. THE UNITED STATES WAS WITHOUT INSTRUCTIONS TO RESPOND TO FRENCH QUESTIONS REGARDING THE COVERAGE OF FAST FOURRIER TRANSFORM TECHNIQUES FOR NEARLY 6 MONTHS AND NEARLY AS LONG REGARDING THE SOU TO IL 1203. THE UNITED STATES HAS STILL NOT FURNISHED FORMULAE OF IL 1746 EMBARGOED ORGANIC CHEMICAL COMPOUNDS WHICH IT PROMISED DURING THE 1975 LIST REVIEW. FINALLY, ON THREE SEPARATE CASES IN 1977 INVOLVING LISTING OF EQUIPMENT ELIGIBLE FOR ADMINISTRATIVE EXCEPTION TREATMENT, THE UNITED STATES FAILED TO PROVIDE ITS POSITION WITHIN THE MANDATORY 30-DAY PERIOD REQUIRED BY COCOM RULES.

7. I UNDERSTAND THE VITAL ROLE COCOM SERVES IN COORDINATING THE INTERNATIONAL STRATEGIC EMBARGO AND THAT WE ATTACH GREAT IMPORTANCE TO THE MAINTENANCE OF THE COCOM RULE OF UNANIMITY. COCOM HAS DEMONSTRATED CONSIDERABLE RESILIENCY AND ITS CONTINUING ROLE AND EFFICACY WILL PROBABLY DEPEND ON NUMEROUS CONSIDERATIONS
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IN ADDITION TO THE PROBLEMS CAUSED BY US DELAYS. NEVERTHELESS THE COCOM CHAIRMAN'S MESSAGE IS CLEAR THAT CONTINUING US DELAYS ENTAIL A CLEAR RISK OF LOSS OR CIRCUMVENTION OF THE UNANIMITY PRINCIPLE WHICH THE US HAS SO HIGHLY VALUED UNTIL NOW. IT IS UP TO THE EDAC AGENCIES TO DETERMINE WHETHER THEY WISH TO CONTEND WITH THESE RISKS OR PUSH FOR NECESSARY IMPROVEMENTS IN THE PROCEDURES WHICH GENERATE THE INSTRUCTIONS TO THIS MISSION'S DELEGATION TO COCOM.
SALZMAN

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